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Docket No. JBP0518

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Miri Seiberg et al.

Serial No. : 09/698,454

Art Unit: 1616

Filed : October 27, 2000

Examiner: Marina Lamm

For : Soy Depigmenting and Skin Care Compositions

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

May 13, 2004
(Date of Deposit)

Andrea L. Colby
(Name of applicant, assignee, or Registered Representative)

Andrea L. Colby
(Signature)

May 13, 2004
(Date of Signature)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

FIRST SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

This copy is supplemental to the Information Disclosure Statement mailed on December 27, 2001.

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this

information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

☐ In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required.

☐ In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with ☐ the first or ☐ second After Final Submission, therefore:

- ☐ Statement in Accordance with §1.97(e) (attached); or
- ☐ Please charge Deposit Account No. 10-0750/ / the fee of \$180.00 as set forth in §1.17(p).

☒ In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of:

- ☐ Statement in Accordance with §1.97(e) (attached); or
- ☒ Please charge Deposit Account No. 10-0750/JBP0518/ALC the fee of \$180.00 as set forth in §1.17(p).

☐ In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee. Applicant(s) hereby petition(s) for consideration of this Information Disclosure Statement. Included are: Statement in Accordance with §1.97(e) as set forth below and the fee of \$180.00 as set forth in §1.17(p).

☒ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.

☐ Copies of references listed on the attached Form PTO-1449 are enclosed herewith EXCEPT THAT:

- ☐ In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.
- ☐ If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

☐ Copies of only foreign patent documents and non-patent literature are enclosed in accordance with 37 CFR 1.98 (a) (2). (The U.S. patents and each U.S. patent application publication listed on the attached Form PTO-1449 are not enclosed because this U.S. patent application was filed after June 30, 2003 or this international application has entered the

national stage under 35 USC §371 after June 30, 2003 (see USPTO waiver of requirement under 37 CFR 1.98 (a)(2)(i)).

☐ There are no listed references which are not in the English language.

☒ The relevance of those listed references which are not in the English language is as follows:

English abstracts are provided for CN1094279, EP0643083, FR2596986, FR2641696, FR2685202, JP6145061, JP6192085, JP7010772, JP7196527, JP7196529, JP8040824, JP8059450, JP8143442, JP8333260, JP9059166, JP9176033, JP58225004, JP59187756, JP2000302678.

Translations are provided for EP0421021, FR2803747, FR2811226, JP1096106, JP5015574, JP7304655, JP8012560, JP8099891, JP9025212, JP9025214, JP63227515, JP11346695, KR92-8851, RU2066992, WO96/40121, WO99/09065, WO00/15188, WO02/07697 and HAMADA (Journal Soc. Cosmet. Chem. Japan 31(4):413-419 (1997)).

English language equivalents are submitted for:

EP0643960 = US5741496
EP0655470 = US5712356 and 5,936,052
EP0661037 = US5629015
EP0814116 = US5871823
EP0832647 = AU695806
EP1145710 = US2002/042380 and 2003/176366
JP5114905 = EP0508886
WO87/07838 = US4978528
WO98/33089 = US6018001

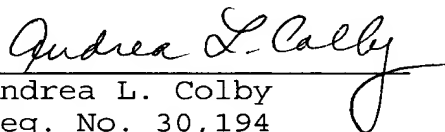
☐ Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.

Copies of the references listed on the search report(s) are included except for those previously cited in an IDS mailed .

☒ Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/JBP0518/ALC. This form is submitted in triplicate.

Respectfully submitted,


Andrea L. Colby
Reg. No. 30,194
Attorney for Applicants

Johnson & Johnson
One Johnson & Johnson Plaza
New Brunswick, NJ 08933-7003
(732) 524-2792

DATED: *May 13, 2004*



PTO/SB/08A (08-00)

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 2 of 9

Application Number	09/698,454
Filing Date	October 27, 2000
First Named Inventor	Miri Seiberg
Group Art Unit	1616
Examiner Name	Marina Lamm
Attorney Docket Number	JBP0518

U.S. PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		Number	Kind Code ² (if known)			
		6,080,393	A	Liu et al.	06-27-2000	
		6,096,327	A	Lezdey et al.	08-01-2000	
		6,126,933	A	Warne et al.	10-03-2000	
		6,238,678	B1	Oblong et al.	05-29-2001	
		6,261,603	B1	McElwain	07-17-2001	
		6,544,531	B1	Cole et al.	04-08-2003	
		6,555,143	B2	Miller et al.	04-29-2003	J&J1998
		2002/0042380	A1	Casteil et al.	04-11-2002	
		2003/0176366	A1	Casteil et al.	09-18-2003	
		2004/0009142	A1	Zambaux et al.	01-15-2004	

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵				
		AU	695806	B	C.I.R.D. Galderma	08-20-1998	=EP0832647	
		AU	724988	B2	Genentech, Inc.	05-29-1998	=WO9819700	
		CN	1094279	A	Wang	11-02-1994	English Abstract	No
		EP	0 393 532	A2	Schering Corporation	10-24-1990		
		EP	0 421 021	A1	Mucos Emulsionsgesellschaft	04-10-1991		Yes
		EP	0 508 886	A1	Digital Equipment Corporation	10-14-1992	=JP 5114905	
		EP	0 574 352	A1	Ciba-Geigy AG	12-15-1993		
		EP	0 643 083	A1	Essilor International	03-15-1995	English Abstract and Claims from B1 Document	No
		EP	0 643 960	A1	Laboratoire de Biologie Vegetale Yves Rocher	03-22-1995	=US5741496	No
		EP	0 655 470	A1	Ciba-Geigy AG	05-31-1995	=US 5,712,356 & 5,936,052	No
		EP	0 661 037	A1	L'Oreal	07-05-1995	=US 5,629,015	No
		EP	0 713 106	A1	Menicon Co., Ltd.	05-22-1996		
		EP	0 758 687	A1	Ciba-Geigy AG	02-19-1997		

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 3 of 9

Application Number	09/698,454
Filing Date	October 27, 2000
First Named Inventor	Miri Seiberg
Group Art Unit	1616
Examiner Name	Marina Lamm
Attorney Docket Number	JBP0518

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear	T ⁶
		Office ³	Number ⁴	KindCode ⁵				
		EP	0 814 116	A1	Huls AG	12-29-1997	=US 5,871,823	No
		EP	0 832 647	A1	Centre International de Recherches Dermatologiques Galderma	04-01-1998	=AU695806	No
		EP	0 852 946	A2	De Paoli Ambrosi	07-15-1998		
		EP	0 963 761	A1	J&J Vision Products	12-15-1999	VTN0410	
		EP	0 998 914	A1	J&J Consumer Products Inc.	05-10-2000	JBP0433	
		EP	1 072 259	A2	Shiseido Company Limited	01-31-2001		
		EP	1 074 240	A2	J&J Consumer Products Inc.	02-07-2001	JBP510	
		EP	1 077 063	A2	J&J Consumer Products Inc.	02-21-2001	JBP0402	
		EP	1 145 710	A1	L'Oreal	10-17-2001	=US 2002042380 and 2003176366	No
		EP	1 166 763	A1	J&J Consumer Products Inc.	01-02-2002	JBP0488	
		EP	1 192 938	A2	J&J Consumer Products Inc.	04-03-2002	JBP0523	
		EP	1 236 402	A2	J&J Consumer Products Inc.	09-04-2002	J&J2001	
		EP	1 236 465	A2	J&J Consumer Products Inc.	09-04-2002	J&J2002	
		EP	1 352 637	A1	Shiseido Company Limited	10-15-2003		
		FR	2 596 986	A1	Sederma SA (FR)	10-16-1987	English Abstract	No
		FR	2 641 696	A1	Sederma SA (FR)	07-20-1990	English Abstract	No
		FR	2 685 202	A1	Sederma SA (FR)	06-25-1993	English Abstract	No
		FR	2 803 747	A1	Laboratoires Pharmascience	07-20-2001		Yes
		FR	2 811 226	A1	Clarins Laboratoires	01-11-2002		Yes
	✓	JP	1096106	A	Shiseido Company, Ltd	04-14-1989		Yes
		JP	5015574	A	Japan Atom Energy Res Inst, et al.	01-26-1993		Yes
	✓	JP	5114905	A	Digital Equipment Corp.	05-07-1993	=EP 0 508 886	No
	✓	JP	6145061	A	Fuji Seiyu KK	05-24-1994	English Abstract	No
	✓	JP	6192085	A	Inada Y	07-12-1994	English Abstract	No
	✓	JP	7010772	A	Fuji Seiyu KK	01-13-1995	English Abstract	No

Examiner Signature	Date Considered
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 4 of 9

Application Number	09/698,454
Filing Date	October 27, 2000
First Named Inventor	Miri Seiberg
Group Art Unit	1616
Examiner Name	Marina Lamm
Attorney Docket Number	JBP0518

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear	T ⁶
		Office ³	Number ⁴	KindCode ⁵				
	/	JP	7196527	A	Morinaga Milk Ind. Co. Ltd.	08-01-1995	English Abstract	No
	/	JP	7196529	A	Morinaga Milk Ind. Co. Ltd.	08-01-1995	English Abstract	No
	/	JP	7304655	A	Kikkoman Corp.	11-21-1995		Yes
	/	JP	8012560	A	Shiseido Company, Ltd.	01-16-1996		Yes
	/	JP	8040824	A	Nonogawa Shoji:KK	02-13-1996	English Abstract	No
	/	JP	8059450	A	Kose Corporation	03-05-1996	English Abstract	No
	/	JP	8099891	A	Pola Chemical Industrial Company, Ltd.	04-16-1996		Yes
	/	JP	8143442	A	Kikkoman Corp.	06-04-1996	English Abstract	No
	/	JP	8333260	A	Kaminomoto Honpo:KK	12-17-1996	English Abstract	No
	/	JP	9025212	A	Shiseido Co. Ltd.	01-28-1997		Yes
	/	JP	9025214	A	Shiseido Co. Ltd.	01-28-1997		Yes
	/	JP	9059166	A	Kikkoman Corp.	03-04-1997	English Abstract	No
	/	JP	9176033	A	Pigeon Corp.	07-08-1997	English Abstract	No
	/	JP	11346695	A	National Food Res. Inst. Ryookoku Shoji KK	12-21-1999		Yes
	/	JP	58225004	A	Ichimaru Fuarukosu KK	12-27-1983	English Abstract	No
	/	JP	59187756	A	Erika KK	10-24-1984	English Abstract	No
	/	JP	63227515	A	New Japan Chemical Engineering KK	09-21-1988		Yes
	/	JP	2000302678	A	Crescendo Corp.	10-31-2000	English Abstract	No
	/	KR	92-8851	B1	Park	10-01-1992		Yes
	/	RU	2066992	C1	Ostroumova Nadezhda Mikhajlovna	09-27-1996		Yes
	/	WO	87/07838	A1	Societe Bio Serac Sarl	12-30-1987	=US4,978,528	No
	/	WO	91/04283	A1	Chang et al.	04-04-1991		
	/	WO	92/09639	A2	Bausch & Lomb Incorporated	06-11-1992		
	/	WO	92/09650	A1	Bausch & Lomb Incorporated	06-11-1992		
	/	WO	94/06485	A1	Ciba-Geigy AG	03-31-1994		

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¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

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Sheet 5 of 9

Application Number	09/698,454
Filing Date	October 27, 2000
First Named Inventor	Miri Seiberg
Group Art Unit	1616
Examiner Name	Marina Lamm
Attorney Docket Number	JBP0518

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		Office ³	Number ⁴	KindCode ⁵				
		WO	95/04609	A1	Ciba-Geigy AG	02-16-1995		
		WO	95/09002	A1	University of Pennsylvania	04-06-1995		
		WO	95/09011	A1	University of Pennsylvania	04-06-1995		
		WO	95/24885	A1	Handelman	09-21-1995		
		WO	96/09806	A2	Handelman	04-04-1996		
		WO	96/24392	A1	Fidia Advanced Biopolymers	08-15-1996		
		WO	96/40121	A1	Taisho Pharmaceutical Co. Ltd.	12-19-1996		Yes
		WO	96/40199	A1	University of Pennsylvania	12-19-1996		
		WO	97/18904	A1	Massachusetts Institute of Technology	05-29-1997		
		WO	97/39733	A1	The Procter & Gamble Company	10-30-1997		
		WO	98/01107	A1	Industria E Comercio de Cosmeticos Natura	01-15-1998		
		WO	98/02138	A1	Industria E Comercio de Cosmeticos Natura	01-22-1998		
		WO	98/17246	A1	ROC	04-30-1998		
		WO	98/33089	A1	Menicon Co., Ltd.	07-30-1998	=US 6,018,001	No
		WO	99/04752	A2	J&J Consumer Products Inc.	02-04-1999	JBP0430	
		WO	99/09065	A1	Eberhard-Karls-Univ.	02-25-1999		Yes
		WO	99/15917	A1	Novartis AG	04-01-1999		
		WO	99/30729	A1	J&J Consumer Products Inc.	06-24-1999	JBP0438	
		WO	99/57178	A1	Bausch & Lomb Incorporated	11-11-1999		
		WO	00/15188	A1	Sedema	03-23-2000		Yes
		WO	00/43049	A1	Pharmacia & Upjohn Company	07-27-2000		
		WO	01/34099	A1	J&J Consumer Products Inc.	05-17-2001	JBP0518	
		WO	01/35920	A1	Hindustan Lever Limited	05-25-2001		
		WO	02/07697	A1	Cognis France S.A.	01-31-2002	=US 2004/009142	Yes

Examiner Signature	Date Considered
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Sheet 6 of 9

Application Number	09/698,454
Filing Date	October 27, 2000
First Named Inventor	Miri Seiberg
Group Art Unit	1616
Examiner Name	Marina Lamm
Attorney Docket Number	JBP0518

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS			
Examiner's Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
		"A Combined Soybean Crushing-Deodorizing System that Yields 100-200 Mesh Powder for Food Additive Use has been Developed by SHINYU ZOKI CO. LTD. And MITSUBISHI RAYON ENGINEERING LTD.", <i>Tech Times</i> , pp 10 (1978).	
		"Elhibin®" Product Brochure, PENTAPHARM, Centerchem, Inc., Stamford, CT, publicly available prior to February 28, 2001.	
		"Flavosterone S (Soybean Extract Contained Iso-Flavone)", ICHIMARU PHARCOS CO., LTD. pp 11-13 (December 22, 1998).	
		"Isoral" Soybean power makes your skin clear and moist!" – Brochure, publicly available prior to February 28, 2001.	
		"Nudit Advertisement", publicly available prior to February 28, 2001.	
		"Patent Abstracts - Gastric Juice for Antiaging 1997".	
		"Patent Abstracts - Plant extracts for skin whitening", publicly available prior to February 28, 2001.	
		"Patent Abstracts - Soybeans for skin pigmentation 1997".	
		"Patent Abstracts - Soybeans for skin whitening 1997".	
		"Patent Abstracts of requested patent titles 1996".	
		"Product for Damaged hair by Bristol-Myers-Squibb", (Abstract) publicly available prior to February 28, 2001.	
		"RQ1 RNase-Free DNASE", PROMEGA CORPORATION, Technical Bulletin No. 518, pp 1-4, February 2000, Part#TB518, Promega Corporation, 2800 Woods Hollow Rd., Madison, WI 53711-5399	
		"Soy Protein Prevents Skin Tumors From Developing in Mice", <i>Gene Therapy Weekly</i> , ISSN 1078-2842, pp 21 (November 8, 2001).	
		"The Joy of Soy", www.wheat-grass.com/851_oral_liquid.shtml , WHEATGRASS EXPRESS, INC., 1996.	

Examiner Signature		Date Considered	
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Sheet 7 of 9

Application Number	09/698,454
Filing Date	October 27, 2000
First Named Inventor	Miri Seiberg
Group Art Unit	1616
Examiner Name	Marina Lamm
Attorney Docket Number	JBP0518

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS			
Examiner's Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
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First Named Inventor	Miri Seiberg
Group Art Unit	1616
Examiner Name	Marina Lamm
Attorney Docket Number	JBP0518

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Exam. Initials	Cite No.	Name of Patentee or Applicant of Cited Document	U.S. Patent Document Number	Filing Date	Docket No.
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